

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

YES I CAN LICENSED BEHAVIOR ANALYST
PLLC et al.,

Plaintiffs,

-v-

GREEN TREE CAPITAL LLC et al.,

Defendants.

24 Civ. 7360 (PAE)

ORDER

PAUL A. ENGELMAYER, District Judge:

On October 17, 2024, defendants Berkovitch & Bouskila, PLLC, Steven Berkovitch, and Ariel Bouskila (collectively, “B&B Law”) filed a motion to dismiss the complaint under Rules 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure. Dkt. 31. Under Rule 15(a)(1)(B), a plaintiff has 21 days after the service of a motion under Rule 12(b) to amend the complaint once as a matter of course.

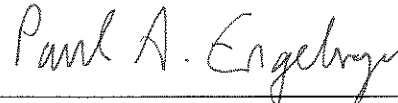
Accordingly, it is hereby ORDERED that plaintiffs shall file any amended complaint by November 7, 2024. No further opportunities to amend will ordinarily be granted. If plaintiffs do amend, by November 28, 2024, defendants shall: (1) file an answer; (2) file a new motion to dismiss; or (3) submit a letter to the Court, copying plaintiffs, stating that they rely on the previously filed motion to dismiss.¹

It is further ORDERED that if no amended complaint is filed, plaintiffs shall serve any opposition to the motion to dismiss by November 7, 2024. Defendants’ reply, if any, shall be

¹ If defendants file a new motion to dismiss or rely on their previous motion, plaintiffs’ opposition will be due 14 days thereafter, and defendants’ reply, if any, will be due seven days after that.

served by November 21, 2024. At the time any reply is served, the moving party shall supply the Court with two (2) courtesy copies of all motion papers by mailing or delivering them to the Thurgood Marshall United States Courthouse, 40 Centre Street, New York, New York 10007.

SO ORDERED.

A handwritten signature in cursive script, reading "Paul A. Engelmayer", is positioned above a horizontal line.

PAUL A. ENGELMAYER
United States District Judge

Dated: October 18, 2024
New York, New York